

REMARKS/ARGUMENTS

Favorable reconsideration of this application, as presently amended and in light of the following discussion is respectfully requested.

Claims 1-28 are pending in the application; and Claims 1, 8, 14, 21 and 28 are amended by the present amendment. Support for the amended claims can be found in the original specification, claims and drawings.¹ No new matter is presented.

In the outstanding Official Action, Claims 1-9, 11 and 14-28 were rejected under 35 U.S.C. §102(e) as anticipated by Akiyama et al. (U.S. patent 6,771,378, hereinafter “Akiyama”); and Claims 8-13 were rejected under 35 U.S.C. §102(e) as anticipated by Sato et al. (U.S. Patent 6,667,812 (hereinafter “Sato”).

Applicant appreciatively acknowledges the courtesy extended by Examiner Pokrzywa by granting a personal interview to the undersigned on October 5, 2005. During the interview, an overview of the claimed invention was presented and the pending claims were discussed in light of the applied references. The substance of the interview is reflected in amended independent Claims 1, 8, 14, 21 and 28, and in the remarks presented below. No formal agreement was reached during the interview pending the submission of a response to the outstanding Official Action.

In the outstanding Official Action, Claims 1-9, 11 and 14-28 were rejected under 35 U.S.C. §102(e) as anticipated by Akiyama. Applicant respectfully submits that amended independent Claims 1, 8, 14, 21 and 28 state novel features clearly not taught or rendered obvious by the applied references.

Amended Claim 1 relates to a status information printing program configured to be run on a host computer and which causes the host computer to print printer status information. The program includes an output initiation instruction monitor function which

¹ E.g., specification, p. 20, lines 19-23, and Fig. 7.

monitors the output initiation instruction for the status information output by the printer. As discussed in the interview, Claim 1 is amended to further clarify this feature by reciting that the ***status information is output without solicitation from the host computer.*** The status information is then acquired by the host computer, which generates printing data based on the received printer status information and forwards the generated printing data to the printer for printing.

In an non-limiting, exemplary embodiment, as disclosed at p. 21-24 of the specification, printer status information is generated, updated and stored at the printer and sent to the host computer when a switch (36) on the printer is pushed. The host computer then receives the printer status information, and generates print data indicating the status of the printer, which is transmitted back to the printer and printed. Thus, no message is sent from the host computer to the printer requesting the status information. An advantage of such a system is that the printer processor does not bear the burden of generating print data, instead, the printer transmits raw status data to the host computer which then generates the print data allowing the status information to be printed at the printer.²

Turning to the applied reference, Akiyama describes a system in which a host computer acquires information about the status of the printer (remaining ink) and displays a message on the display screen allowing a user to select whether to proceed with the print operation, or to modify the print job based on the displayed status.³ As depicted in Figs. 43A-43C, a host computer (110) initiates a bi-directional communication mode with the printer (101) and transmits a detection command to the printer (101) requesting the status of individual ink reservoir.⁴ The printer then transmits the requested information to the host computer providing the user with status information, as noted above.⁵

² E.g., specification, p. 3, lines 3-22.

³ Akiyama at Abstract.

⁴ Id., col. 55, line 62 – col. 56, line 5.

⁵ Id., col. 57, line 49 – col. 58, line 7.

However, Akiyama fails to teach or suggest that the printer status information is output from the printer to the host computer without being solicited by the host computer.

Amended Claim 1 recites, *inter alia*, a medium having a status information printing program recorded thereon, the printing program comprising:

...an output initiation instruction monitor function configured to monitor the output initiation instruction for the status information that the printer outputs through the two-way communication, ***the status information being output without solicitation from the host computer...***

In contrast, as discussed during the interview, Akiyama describes that a user issues a command from a host computer (110) indicating the start of a printing operation, and initiates bi-directional communications with the printer (101).⁶ The host computer then transmits a detection command to the printer asking the printer for the status of various printer resources (e.g., carriage position, ink resources, etc.), and the printer replies with the requested information.⁷ Thus, in Akiyama, the printer status information is sent from the printer to the host computer only after receiving this “detection command” from the host computer.

Such a process is in clear contrast to the step recited in amended Claim 1, that ***the status information is output without solicitation from the host computer.*** As discussed above, Akiyama describes that the host computer transmits a message to the printer before any status information is sent back to the host computer.

Accordingly, for at least the reasons discussed above, Applicant respectfully requests that the rejection of Claim 1 under 35 U.S.C. §102(e) be withdrawn. For substantially the same reasons as given with respect to amended Claim 1, Applicants respectfully submit that amended Claims 8, 14, 21 and 28 also patentably define over Akiyama.

⁶ Id., col. 55, line 62-col. 56, line 2.
⁷ Id.

Claims 8-13 were rejected under 35 U.S.C. §102(e) as anticipated by Sato. Applicant respectfully submits that amended independent Claim 8 states novel features clearly not taught or rendered obvious by Sato.

Sato describes an information processing apparatus capable of determining matching a control language between a printer and a host device through a bi-directional interface.⁸ The host device then selects a printer driver based on the control language determined to be used by the printer.⁹

However, Sato fails to teach or suggest that status information is output from the printer *without solicitation from the host computer*.

Claim 8 as amended recites, *inter alia*, a printer for holding two-way communication with a host computer and printing status information about the printer, comprising:

...a status information output unit configured to output through the two-way communication, *without solicitation from the host computer*...

The outstanding Official Action asserts that the “printer control language system”, corresponds to the “status information”, recited in Claim 8. However, as discussed during the interview, and described at Fig. 6, and col. 7, lines 14-17 of Sato, the CPU (1) of the host computer (100) designates a “printer control language acquisition request” which is sent from the CPU to the printer. The printer then responds to this request and the host computer proceeds to select a printer driver based on the response received from the printer.

Therefore, a request is transmitted from the host computer to the printer in order to receive the printer control language, and the print control language information is not sent from the printer without solicitation from the host computer. Further, Sato fails, at any point, to teach or suggest that any status information is sent from the printer to the host computer without being requested by a message sent from the host computer.

⁸ Sato, col. 2, lines 1-5.

⁹ Id., col. 2, lines 5-12.

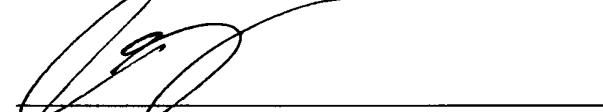
Accordingly, Sato fails to teach or suggest a printer including “a status information output unit configured to output through the two-way communication, *without solicitation from the host computer*”, as recited in amended independent Claim 8.

Accordingly, Applicants respectfully request the rejection of Claim 8 under 35 U.S.C. §102(e) be withdrawn. As Claims 9-13 depend from Claim 8, Applicants submit that these claims also patentably define over Sato.

Consequently, in light of the foregoing comments, it is respectfully submitted that the invention defined by Claims 1-28 is patentably distinguishing over the applied references. The present application is therefore believed to be in condition for formal allowance and an early and favorable reconsideration of the application is therefore requested.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.



Gregory J. Maier
Attorney of Record
Registration No. 25,599

Andrew T. Harry
Registration No. 56,959

Customer Number
22850

Tel: (703) 413-3000
Fax: (703) 413 -2220
(OSMMN 06/04)